

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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UNITED STATES OF AMERICA	:	CASE NO. 1:06-CR-382
	:	
Plaintiff	:	
	:	
-VS-	:	
	:	<u>ORDER ACCEPTING PLEA AGREEMENT</u>
MICHAEL JANOSKO	:	<u>AND JUDGMENT AND NOTICE OF</u>
	:	<u>HEARING</u>
Defendant	:	
-----	:	

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr. regarding the change of plea hearing and plea agreement of Michael Janosko which was referred to the Magistrate Judge with the consent of the parties.

On 16 August 2006, the government filed a three-count indictment against Michael Janosko for receipt/distribution of visual depictions of minors engaged in sexually explicit conduct in violation of 18 U.S.C. § 2252(a)(2), receipt/distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2), and possession of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B). On 24 August 2006, a hearing was held in which Michael Janosko entered a plea of not guilty before Magistrate Judge Nancy A. Vecchiarelli. On 3 November 2006, Magistrate Judge Baughman received

Michael Janosko's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted.

Michael Janosko is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Michael Janosko is adjudged guilty of Counts One, Two and Three in violation of 18 U.S.C. § 2252(a)(2), 18 U.S.C. § 2252A(a)(2), and 18 U.S.C. § 2252A(a)(5)(B).

Sentencing will be:

29 January 2007 at 3:00 p.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated: 18 December 2006

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE